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ABSTRACT

In this paper major research results and legal and political issues relating to the topic of school desegregation are summarized. Each of the four parts highlights significant findings and decisions. The first section deals with the philosophical and moral principles underlying the movement toward equal educational opportunities through school desegregation. The second section begins with a review of the findings of the Coleman Report, and follows with a summary of the literature stimulated by the report. The author discusses the results of this follow-up research and analyzes criticism of methodological and interpretative techniques in various works. In the third section of this paper the impact of school desegregation is linked with the social and political environment. The author reviews literature reflecting the interrelationship between desegregation and both national and local level political factors. In addition the need to study actions and attitudes of educators, community leaders, and parents, in order to evaluate the impact of desegregation on a school system and community is emphasized. In the concluding section a general failure in the literature to consider the complexities of school desegregation is stressed. It is recommended that this situation be remedied by further study. (Author/GC)

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IN SEARCH OF SELF-EVIDENT TRUTHS:

A Review of Background Literature on School Desegregation

by

Evelyn Herwitz Markwood*

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We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness...

The Declaration of Independence

Introduction

Much has been written and said about school desegregation. In an attempt to provide relevant background material for future research efforts I have added a few more--hopefully trenchant--words to the subject in the following summary of major desegregation research results and legal and political issues. The paper is divided into four parts, each aimed at highlighting significant findings and decisions, rather than surveying the entire body of literature:

I. Equality of Educational Opportunity--The Philosohical Underpinnings of School Desegregation

II. Coleman Revisted--Major Research Findings and Pitfalls of the Past Decade

III. Out of the Lab and Into the Schools--The Socio-Political Environment of Desegregation

  A. The View From the Top--Federal Judicial, Legislative, and Executive Decisions Since Brown

  B. The View From the Bottom--Case Study Findings on Local Politics

IV. Summing Up--Recommendations for Research

I. Equality of Educational Opportunity--The Philosophical Underpinnings of School Desegregation

Schools in the United States have long been viewed as a major vehicle for moving up the social ladder. Available to rich and poor, native-born and immigrant, public schools are valued for opening doors of economic and social opportunity to all seekers. Quality education is considered to be more than just a privilege; it is claimed as a right of all citizens and a responsibility of local governments.

Despite these values and the ideals expressed in the Declaration of Independence, though, our society suffers from what Gunnar Myrdal has termed "an American Dilemma" --the rift between goals of equality and justice for all and efforts tempered by social, economic and cultural influences to actualize those ideals.[1] Fearing loss of jobs and prestige to upwardly mobile blacks, white Americans have systematically excluded their darker compatriots from the supposedly universal benefits derived from the Constitution. Thus, although the guarantees of the Fourteenth Amendment's Equal Protection Clause were made law in 1868, school systems and other social institutions have operated on a separate-and-not-necessarily-equal basis well into the twentieth century.

When pressed by the injured party, however, America's moral conscience has finally begun to catch up with its prejudices. Using social science research concerning the effects of the environment on personality development, a team of NAACP lawyers convinced the United States Supreme Court in the 1954 Brown litigation that the nation could no longer afford to limit educational opportunity on the basis of race. The sociological and psychological evidence focused on the impact of segregation on the self-concepts and prejudices of children, and supported the contention that the imposed feelings of inferiority and reinforcement of racial stereotypes and distrust severely hindered children's personal growth and ability

to learn.[2] In a decision written by Chief Justice Earl Warren, the Supreme Court agreed, stating that this imposed sense of inferiority may "affect [black children's] hearts and minds in a way unlikely ever to be undone."[3] The separate-but-equal doctrine as applied to education was ruled unconstitutional, and the desegregation of the nation's schools began.

The process, as will become evident through this paper, is by no means complete. Although off to a solid start, the country is a long way from providing equal educational opportunities for all seekers. In addition to prejudices and financial woes, educators are plagued with the difficulties of just pinning down the actual meaning of this philosophical concept, let alone implementing it. Nevertheless, with the Supreme Court as a not always consistent superego, the country continues this phase of social reform. The success of this effort is the subject of the next section.

II. Coleman Revisited--Major Research Findings and Pitfalls of the Past Decade

Although the past twenty years have witnessed much foot-dragging and controversy over the issue of school desegregation*, significant progress has been made towards meeting the Brown mandate.[4] A major question arising from this progress, however, is whether the social science theory that formed the basis of this social policy has been substantiated. Reems of research have been focused on this question in an attempt to determine the real impact of desegregation on children. A variety of data, most of it inconclusive, has been ammassed, measuring both the cognitive and affective outcomes of education in desegregated settings. The following summary of these studies highlights findings, methodology, and criticisms of work to date and concludes with some recommendations for future research.

Perhaps the most well-known and widely reviewed piece of educational research of the past decade is Equality of Educational Opportunity, better known as the Coleman Report.[5] One of the largest social science research efforts ever undertaken in this country, the study was conducted in response to a Congressional order in the 1964 Civil Rights Act. To determine the nature and extent of discrepancies in educational opportunities for children due to race, sex, creed, or nationality, the research team studied disparities in educational inputs, such as facilities and teacher qualifications, as well as educational outputs, primarily measured in terms of achievement test scores. Sampling 3,000 of the 17,000 districts in the country, researchers surveyed racial attitudes of about 570,000 students and several

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* For the sake of simplicity, I have chosen to refer to racial mixing in the schools as "desegregation." I have reserved the term "integration" for situations involving growth of interracial understanding, friendship, etc.--an outcome of desegregation

thousand teachers and administrators and gave reading and mathematics achievement tests to 1st, 3rd, 6th, 9th, and 12th graders. Data on students' aspirations and self-concepts were also collected, as well as information on opportunities in institutes of higher education. The interplay of inputs and outputs was examined using a specialized analysis of variance procedure, which involved isolating the individual contribution of each independent variable to the total variance observed in achievement test scores.

The major findings were:

1. At the time of the study (1964-66), the majority of American children attended segregated schools.

2. Within those segregated schools, separate-but-equal was the status quo; no major differences in physical facilities, curricula, or teacher characteristics were found between races <u>within regions</u>. Any differences in these inputs for blacks and whites were extant only on a <u>national</u> basis.

3. Irregardless of the size of these input discrepancies, variation in school facilities, curricula, or teacher characteristics had a negligible effect on differences in blacks' and whites' achievement test scores.

4. The factor most strongly related to variation in test scores was the socioeconomic background of a student's classmates. There was a consistent positive relationship between achievement level and contact with affluent classmates,existing independently of the student's own SES background.

5. Blacks in classrooms with a large percentage of white classmates tended to have higher achievement test scores than blacks in classes with mostly black peers.

6. In the affective domain, although all groups had high educational aspirations, blacks tended to have less definite college plans than whites. Measures of self-concept revealed that blacks, similar to whites, had higher

self-concepts than did other ethnic groups surveyed. Finally, whites had a stronger sense of control of the environment than did blacks and other minorities; and sense of environmental control had a strong positive relationship with achievement level.

Although these findings have been subject to various interpretations, Coleman and associates summarized the major results in these words:

> That schools bring little influence to bear on a child's achievement that is independent of his background and general social context; and that this very lack of an independent effect means that the inequalities imposed on children by their home, neighborhood,and peer environment are carried along to become the inequalities with which they confront life at the end of school. For equality of educational opportunity through the schools must imply a strong effect of schools that is independent of the child's immediate social environment, and that strong independent effect is not present in American schools.[6]

Responding to this challenge to the basic American belief that education is the great equalizing force in our society, armies of researchers have scrutinized the report and reanalyzed the data. In their collection On Equality of Educational Opportunity[7], Mosteller and Moynihan summarize the major findings of a Harvard symposium on the Coleman Report. Although the basic findings of the report were confirmed on reanalysis, the authors note the failure of the study to successfully separate the effects of race and social class. Also, by overlooking the effects of school placement and student self-selection practices on inferences about the relationship between resources and achievement levels, the report fails to clearly isolate the role of peers. Analysis would have been facilitated by the use of least squares linear regression instead of ANOVA to better account for the inter-relations among variables and avoid fragmenting analysis by focusing only on components.[8]

The report was plagued by data collection problems, as well. Armor criticizes the researchers for an inadequate questionnaire and a high non-response rate that biased the results. He also notes that the study should have been

longitudinal in order to define causal relationships in the data.[9] Hanushek and Kain criticize the report for failure to use historical data and the resulting bias towards importance of family factors; they contend that contemporary data are more accurate descriptors of the past for family factors than school factors, thus distorting the role of the latter set of inputs.[10] In addition, Mosteller and Moynihan note that these particular school facilities are unlikely to affect student performance in the areas being tested, in the first place; a more useful emphasis would have been on quality and actual use of facilities, rather than quantity.[11]

The list of criticisms goes on to include major methodological problems of a mismatch between the theoretical and statistical models[12], as well as a lack of adequate controls on the groups tested.[13] But, despite these failings, which arose in part from the severe time constraints facing the researchers, the Coleman Report has been used as a major policy document. The data from the survey were incorporated into another important piece of policy research--the 1967 United States Commission on Civil Rights report, Racial Isolation in the Public Schools.[14] Reanalyzing the Coleman data and conducting a series of public hearings on the extent of segregation in the nation's schools, the Commission drew the following conclusions:

1. Racial isolation in public schools is extensive and intensifying, due to white flight from metropolitan cores and discriminatory housing codes. The problem is intensified by inequities in educational expenditures resulting from wealth concentrated in white suburbia and the declining tax base of black central cities. Thus, not only are the races educated separately, but whites can afford to provide a level of education for their children that blacks cannot.

2. Racial isolation in public schools is harmful to black students. In accord with the Coleman study, the Commission found that black students score higher on achievement tests when the majority of their classmates are white, even

when controlling for social class. Again, peers and family home background were deemed the most significant factors affecting achievement level.

3. The major remedy for inequities in school systems--compensatory education--has lacked any marked level of success. Desegregating schools is imperative, and can be accomplished through a variety of means, including magnet schools and educational parks.

Reviewing a large body of social science research including the Coleman findings, however, Jencks and associates reached a different set of conclusions about school desegregation in their book, Inequality: A Reassessment of the Effect of Family and Schooling in America.[15] Focusing on the role of schooling as an instrument of social policy to reduce poverty, Jencks looked not only at the factors relating to equalizing educational attainment among children, but also at the role of education in reducing income disparities among adults. In accord with Coleman, the researchers found that family background is the most important factor affecting educational attainment. They also confirmed the reported discrepancy between black and white achievement test scores; but,contrary to the USCCR, they concluded that racial mixing per se will do little to adjust disparities in educational attainment.[16]

As the critical factor is family background, the solution for equalizing educational attainment is economic desegregation. However, any such efforts for equalizing educational opportunities should be carried out as ends in themselves, since level of educational attainment, according to the research team's data analysis, has a limited effect on level of income. Income disparities are most closely related to family background and historical earnings, and are thus most directly remedied by direct income transfers.[17] In effect, Inequality asserts that schooling, although valuable in and of itself, is a barren means for achieveing upward mobility. Racial integration, if undertaken, should be done for moral and philo-

sophical reasons alone--not as a futile effort to improve the economic well-being of future adults.

Going farther than Coleman in attacking the jugular of American beliefs about education, Jencks has been criticized on a variety of theoretical and methodological grounds. Although there is general agreement, despite statistical differences, on the relation between educational resources and achievement scores, Inequality has been cited for a myopic view of the educational process. In particular, the report omits affective outputs of schooling from analysis due to difficulties in quantification and treats education as a static rather than dynamic process.[18] Also, although the report finds no proof that schools do make a difference in affecting income distribution, it lacks adequate controls to prove that schools don't make a difference,[19] particularly in light of hiring practices that require specific educational credentials.

Despite this controversy, however, Inequality raises some critical issues about the nature of education in general and the purpose of racial desegregation, in particular. Concerning the goals of schooling, the study points out that, whether it should be the case or not, public education is implicitely aimed at training individuals to be productive participants in the labor market. Due to the lack of a significant positive relationship between the school setting and this goal, though, the researchers conclude that school desegregation is not going to guarantee significant changes in the level of economic productivity and opportunity of black graduates. Whether or not this conclusion is valid, it highlights an important assumption that needs to be questioned: is the goal of school desegregation to equalize future economic opportunites between the races? Should this be the goal? If not, what is the point? Is it equalizing learning opportunities for learning's sake, improving interracial understanding, or, as emphasized in the Brown

decision, fostering positive self-concepts and growth in black children (as well as whites). If the answer to these questions is that desegregation is geared towards economic opportunites, then Jencks' question about the usefulness of schools to achieve this end is critical. If, on the other hand, the policy emphasis is on affective maturity, then serious questions need to be raised concerning how such gains can be assessed, and whether they have been properly acccounted for up to this point.

Although policy-makers need to rethink and clarify these issues and address their implications, most researchers appear to have operated under the assumption that school desegregation is aimed towards improving learning and personal growth. In her comprehensive and readable study School Desegregation: Outcomes for Children[20], St. John summarizes the findings of 120 of these studies on desegregation, including research on both cognitive and affective outcomes. In general, the final verdict on both outcomes and relative success or failure of desegregation is inconclusive, due to a variety of methodological problems in the studies. Despite the fact that St.John reviewed only those works that met some minimum research standards, she finds that studies were hindered by a variety of serious shortcomings:

> A very narrow range of outcomes has been studied. There have been virtually no long-term longitudinal studies with predesegregation and postdesegregation scores on the same tests and with subjects randomly assigned to experimental and control conditions. Nor, in lieu of random assignment, have subjects been matched with sufficient care on home background and initial ability. In many studies no attempt was made to measure family background and social class; and where the attempt was made the measurement was usually crude and undependable. Nor has school quality been controlled; in fact, virtually the only studies that have employed an experimental design have been those in which children bused to outlying schools are compared with former classmates who continued in ghetto schools. Even when sending and receiving schools are in the same system (and often they are not), they usually differ a great deal in plant, equipment, program, and the credentials of teachers. But the most serious lack in desegregation research has been inattention to the classroom process. The defensiveness of principals and teachers has precluded proper evaluation of their role

> in structuring the racial climate of schools. A further possible limitation to the relevance of many studies is the year in which the data were gathered. The racial climate of opinion has changed drastically over the last two decades and with it probably the meaning of desegregation. Even five-year-old findings may be dated and not necessarily representative of the current situation.[21]

In addition, she criticizes studies for comparing blacks' and whites' performance, rather than looking at differences between the segregated and the desegregated within each racial group; and she faults studies for using inappropriate measures, such as culturally biased tests and poorly constructed affective scales.

Having made these observations, St.John identifies the major reliable findings of desegregation research as:

1. A black-white achievement gap exists which is not significantly narrowed by desegregation, but not widened, either. In no study was there a significant decrease in black students' scores, but in some studies there were notable increases.

2. Increases in achievement scores are most likely to occur in elementary schools, on mathematics tests, and in schools with more than 50% of the students being white. These gains are not consistent, however.

3. "White achievement has been unaffected in schools that remained majority white but significantly lower in majority black schools."[22]

4. For black students, level of self-esteem decreases with desegregation. This may be due to the challenge presented by higher academic standards in white middle class schools. Blacks' vocational and educational aspirations decline, as well, with desegregation, possibly due to a more accurate perception of competition and prejudice. It is possible, however, that these are only short-term effects, and that black children in desegregated schools may eventually have greater aspirations and senses of self-esteem and control of the environment.

5. With regard to racial prejudice, desegregated settings have sometimes increased intergroup understanding, but have often had the immediate impact of aggravating interracial hostilities. A great deal depends on general school

atmosphere, length of desegregation, as well as sex, socioeconomic background, and race of the students studied. Interracial friendships are more likely to grow among middle class children in elementary schools; once children reach high school age, however, they are more influenced by community attitudes and rifts.

Summarizing her findings, St.John concludes that school desegregation is a multi-faceted process, with both positive and negative results. The final impact depends on the needs of individual children and the way in which desegregation is implemented by school personnel. The goal of future research should be "to discover the school conditions under which the benefits of mixed schooling are maximized and its hardships minimized."[23] Studies should focus on classroom processes, teacher attitudes and their approach to educating. Research should not be limited to cognitive factors, but should incorporate such non-cognitive factors as leadership and impact of racial conflict on trust, prejudice, political skill, and self-confidence. In addition, community attitudes should be accounted for.

This brief review of research on school desegregation leads to one undeniable conclusion--there is much room for improvement and clarification of past work. Three major needs for future studies stand out immediately, however. To begin with, the impact of desegregation must be evaluated at the classroom level, with attention to such factors as intergroup processes, teaching style,and segregation patterns within the school (e.g. tracking). Second, education needs to be viewed as a dynamic, rather than static process, with a variety of outcomes. Finally, the impact of school desegregation on affective outcomes of schooling needs to be carefully assessed.

Developing a dynamic statistical model of the educational process is the easiest of these three goals. As demonstrated by Boardman[24], simultaneous equations models can be used to analyze the interrelationships among the multiple inputs and

outputs of schooling. As for affective outcomes, existing data should be used wherever possible, although better measures of non-cognitive factors will probably have to be developed. In addition, the need to focus on interaction at the classroom level will require implementation of rigorous research designs which incorporate the issues raised by St.John. In short, we have the analytical tools for assessing the impact of school desegregation on children; but the research methodology and affective instruments require further planning and design.

Above and beyond these caveats, however, lies one overriding methodological issue. As underscored by the perspective expressed by Jencks, we need to clearly define both the definition and goal of desegregation. Too much research has been clouded by failures to clearly distinguish between desegregation and integration and the expected outcomes of each. In addition, as will be made clear in the next section, we need to be aware of the existence and impact of unintended outcomes of racial mixing in the schools. Although this charge may appear to be simple-minded, a rigorous and thoughtful definition of desegregation and cataloguing of its goals and outcomes may well be one of the most useful contributions of a research effort.

III. Out of the Lab and Into the Schools--The Socio-Political Environment of Desegregation

As with any research involving "real world" problems in "real world" settings, evaluating the impact of school desegregation on children necessitates an understanding of the general and specific social and political factors influencing the process. The following discussion of these environmental influences is divided into two parts. First, a summary of legal and political decisions made at the national level describes the macro issues guiding and constraining school desegregation efforts. Second, political factors at the local level are identified and related to the outcomes of this policy.

A. The View From the Top--Federal Judicial, Legislative, and Executive Decisions Since Brown

Although the movement for school desegregation was initiated by civil rights groups, the major impetus to dismantle the nation's dual school systems has come from the Supreme Court. With decisions facilitated or hindered by Congressional and executive actions, the Court has been the main arena over the past twenty years for battles over the fate of segregated schools. Through a series of key decisions, amplified by legislative acts, a varying cast of nine men has established the constitutional constraints facing all school boards and superintendents. The following review of these decisions as well as major civil rights legislation and presidential posturing and appointments delimits the boundaries of these constraints, particularly as they may affect the expectations and actions of districts in the process of desegregating.

The constitutional origins of the school desegregation controversy predate the Brown decision by almost 90 years. During the Reconstruction Period following the Civil War, Congress passed the Fourteenth Amendment in an effort to prevent President Andrew Johnson from debilitating the new Civil Rights Act of 1866. The Act, which declared discriminatory application of law a criminal offense, was passed over the President's veto. The first section of the Fourteenth Amendment was designed to give constitutional clout to that act, in the words of the famous Equal Protection Clause:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.[25]

As ratification of this amendment was made a condition for Southern states' reentry into the Union by the Reconstruction Act of 1867, and all Northern states plus Tennessee had already voted their approval, readmission of the seceded states clinched the amendment's fate, and the Equal Protection Clause became law in 1868.[26]

Despite several more pieces of civil rights legislation, however, the pro-black atmosphere of the Reconstruction Era ended in the mid 1870's with Rutherford B. Hayes' election as president. Securing his victory by gaining support of Southern Democrats, Hayes was committed to ending Radical Reconstruction. As a result, Jim Crow laws began to flourish in the South, and Congress failed to pass any further civil rights legislation for over 80 years.[27]

Jim Crow had his day in court in 1896, when the Supreme Court reviewed the case of Plessy v. Ferguson (163 U.S. 537, 16 S.Ct. 1138). In this case, the majority of the bench decided to uphold a Louisiana statute that required black and white passengers to ride in separate train cars. Interpreting the Fourteenth Amendment as requiring only political but not social equality, the Court discredited the plaintiff's claim that separation branded blacks as inferior with the statement

that, "[i]f this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it."[28] Rejecting the assertion that laws could overcome social prejudices and that equal rights for blacks could only be secured by mixing of the races, the Court legitimized the separation of blacks and whites with the cold comment that, "[i]f one race be inferior to the other socially, the constitution of the United States cannot put them upon the same plane."[29]

In an impassioned dissent, Justice Harlan--himself a white supremicist[30]--set aside his own prejudices with his famous words, " Our constitution is color-blind, and neither knows nor tolerates classes among citizens."[31] Yet, Harlan's words would not be heeded by the Supreme Court until the NAACP culminated its offensive against the separate-but-equal doctrine nearly half a century later. Launching a two pronged attack on both discriminatory housing practices and segregation in public schools during the Depression, a team of civil rights lawyers spent twenty years organizing and pressing litigation that would ultimately force the nine justices to reinstate the original interpretation of the Civil War Amendments. Led by Thurgood Marshall, the group first brought the nation's dual school system to the Court's attention via two cases involving discrimination in law schools. (See Sipuel v. Board of Regents, 332 U.S. 631 [1948] and McLaurin v. Oklahoma, 339 U.S. 637 [1950].) Favorable decisions in these cases provided the necessary impetus for pressing the issue of public school desegregation.

In 1954, four cases, all refered to by the title of Brown v. Board of Education (347 U.S. 483, 74 S.Ct. 686), provided the vehicle for the overturn of the Plessy doctrine. As mentioned in Section I of this report, the plaintiffs relied heavily on the work of such noted social scientists as Kenneth B. Clark, who had studied the effects of prejudice and segregation on children. In the first Supreme Court decision to accept such information as evidence, the justices agreed with the argument that segregation brands the black child with a sense of inferiority that can

seriously cripple his or her personal growth. Ruling that school segregation violates the Equal Protection Clause and is thereby unconstitutional, Chief Justice Warren postponed the decision on how desegregation would be implemented until state plans were submitted to the Court.

The following year, Chief Justice Warren again delivered the majority opinion, placing the onus of responsiblity for desegregation on local school officials. In Brown II (349 U.S. 294, 75 S.Ct. 753, 99 L.Ed. 1083), the Court required local authorities to evidence "good faith compliance"[32] with the Brown I mandate, correcting and preventing discriminatory decisions regarding such factors as school physical plant condition, transportation systems, personnel, attendence boundaries, and local laws. These efforts were to be carried out "with all deliberate speed."[33]

Sluggishness and resistance by local officials, however, rendered this charge virtually meaningless for more that a decade. During that time, the Court reviewed a variety of desegregation plans in light of the Brown II requirements, (see, for example, Green v. County School Board of New Kent County, Virginia, 391 U.S. 439 [1968] ruling on freedom-of-choice plans), and finally grew impatient with school authorities' apparent lack of good faith. Finally, in 1969, the justices ruled in Alexander v. Holmes County Board of Education (396 U.S. 19, 90 S.Ct. 29) that "all deliberate speed" was no longer a sufficient requirement, and that no further delays would be tolerated in the dismantling of dual school systems.

Dealing initially with de jure, or legally sanctioned, segregation predominating in the South, the Supreme Court has turned its attention in recent years towards defining the role of the courts in eradicating de facto segregation. The latter form of racial isolation arises from factors supposedly out of the control of local school officials, such as housing patterns, and has been the central issue in most Northern school desegregation cases. Arguments about

the legitimacy of prosecuting school officials for de facto segregation patterns center around the degree to which school authorities' actions, such as selecting building sites or drawing attendence boundaries, have actually affected residential choice and formation of racial enclaves. Judicial lines have been drawn around two different interpretations of the Brown ruling. The integrationist interpretation of the decision is that the Fourteenth Amendement prohibits all racial imbalance in schools. According to this view, it is the duty of school authorities to help assimilate minorities into the community and thus erradicate the effects of local prejudices and discrimination. The conservative reading of Brown, however, holds that the courts cannot force government bodies to right wrongs for which they are not directly responsible.[34]

These two positions have surfaced and developed through court consideration of the volatile issue of the neighborhood school. A center of community control and involvement, the local school,(especially the local elementary school) is an important piece of turf for many urban and suburban neighborhoods. The invioblility of this territory has been challenged in the courts, however, since segregated housing patterns within metropolitan areas have led to segregated neighborhood schools. As noted earlier in the discussion of the USCCR report Racial Isolation, shrinking city tax bases as well as behind-the-scenes decisions by administrators have contributed to the disparity in educational quality of black and white schools. The resulting conflict between the haves and have-nots has created a powder keg of fear and hostility which community leaders and judges have been hard pressed to keep from exploding.

Not suprisingly, the courts were initially hesitant to deal with the issue of de facto segregation, and successfully avoided it for over a decade. As desgregation efforts gained momentum, particularly after the Holmes decision and with the politicizing of the busing issue (see below), however, the problems encountered in these school districts had to be addressed. Finally, in 1971, the

Supreme Court began to clarify the responsibility of local officials for unifying de facto segregated systems in the landmark case, Swann v. Charlotte-Mecklenberg Board of Education (402 U.S. 1, 15, 91 S.Ct. 1267, 1275, 28 L.Ed.2d 554). Rejecting the Fourth Circuit Court of Appeals' desegregation plan for not completely dismantling the North Carolina district's school system, a unanimous opinion delivered by Chief Justice Burger charged the local board with the responsibility of ensuring the dual system's demise in the face of official discriminatory action or inaction. Noting the critical role that school construction and closings play in residential housing patterns, the Court also warned the board to be certain that such decisions "are not used and do not serve to perpetuate or re-establish the dual system."[35] In light of evidence that the school authorities failed to fulfill these duties, the courts were justified in invoking judicial authority. Segregated systems must be unified, even if solutions involve the inconvenience of busing and the use of racial quotas.

Despite these strong statements on the necessary scope of solutions and breadth of the judicial role, the Court was careful to set limits on its authority. Court intervention would only be justified in light of a history of deliberate segregation. (Note that the grey area between discrimination by abrogation of responsiblity and unintentional segregation, an aspect of the fuzzy distinction between de jure and de facto segregation, remains unclarified.) Also, racial quotas were not requirements but tools for restructuring; uni-racial schools would not be prohibited, although the burden of proof of non-discrimination would rest on the school board. In addition, once a satisfactory plan was conceived and implemented, the board would not have to readjust the system annually to keep up with residential changes.[36]

Thus, although the Court broadened the definition of local responsiblity and resulting scope of judicial intervention, it also emphasized the need to prove intent to segregate--although that intent could take the form of implicit as well

as explicit decisions. In additon, Burger stressed the fact that court authority was not unlimited, despite the need to create unitary school systems. It is significant to note, particularly in light of further interpretations of Swann, (see Wright v. City Council of Emporia, 92 S.Ct. 2196 [1972] and United States v. Scotland Neck Board of Education, 92 S.Ct. 2214 [1972]), that this emphasis on judicial restraint was primarily the doings of the Nixon appointees.[37] This conservative bent has become more pronounced in the decisions following Swann, particularly as the Court has been directly confronted with the issue of de facto segregation in Northern districts.

Ruling on its first Northern desegregation case in 1973, the Court decided in Keyes v. School District No.1, Denver, Colorado (445 F.2d. 990,93 S.Ct. 2686 [1973]) that deliberate discrimination by school officials through such actions as school site selection evidenced de jure segregation, even if these acts were not explicitly legitimized in statutes. As indicated in Swann, in addition to being responsible for officially sanctioned discrimination and resulting segregation, school authorities could be cited for their own extralegal decisions that created dual systems. By classifying such actions as de jure, however, the Court hedged again on defining exactly what comprised de facto segregation and how it would be dealt with if identified.[38]

In reviewing metropolitan area desegregation plans over the past few years, the Court has continued this trend of delimiting de facto segregation by expanding the meaning of de jure segregation. The key factor in recent opinions has been evidence of board and local officials' intent to segregate. In both Bradley v. School Board of the City of Richmond (462 F.2d. 1058 [1972], 412 U.S. 92) and Milliken v. Bradley (418 U.S. 717 , 94 S.Ct. 3112, [1974]),-the justices overruled district court judges' plans to enforce metro-wide desegregation for failure to prove intent to segregate on an interdistrict basis. Both Richmond and Detroit (Milliken) are predominantly black cities surrounded by white suburbs,

leading judges in each case to decide that no real desegregation would occur unless both city and suburbs were involved. Segregated patterns were linked, especially in Detroit, to discriminatory actions by state and local officials with regards to housing, zoning, and financing practices. Holding the school boards as partly responsible for these practices through school siting, boundary setting, and, in Detroit, affiliation with offending state agencies, each judge ordered metropolitan-wide desegregation. In Richmond, this was to be achieved by a merger of the city and surrounding counties and large scale busing; in Detroit, the plan involved busing students across political boundaries. Arguments supporting these plans failed to convince a majority of the justices, however. In Bradley, the Court agreed with the Circuit Court that the school board was not responsible for the segregation of the entire community; similarly, in Milliken, there was no evidence of an interdistrict violation that would warrant an interdistrict solution.[39] These decisions have recently been reinforced in United States v. Board of Commissioners of the City of Indianapolis (540 F.2d. 244 [1976] most recent citation). Although predominantly black Indianapolis recently merged with its white suburbs to form a metro-area government, city and suburban school districts were maintained. Despite this fact and government actions to restrict public housing projects to the city limits, the Supreme Court ruled that the district court's metropolitan desegregation plan was unwarranted, due to a failure to prove intent to discriminate on an interdistrict basis.[40]

In sum, the Supreme Court's posture on desegregation has shifted over the past two decades from an emphasis on the effects of segregation on children in Brown to a focus on the intent to segregate by local officials in the metropolitan cases. The turning point in the Court's attitude can probably be pinned to the Swann ruling and shift from the Warren Court's social crusading to the present era of Warren Burger and judicial restraint. As noted earlier, although the Swann decision still placed a priority on creating unitary school systems,

the Nixon justices also stressed the limits to their authority. This mood of restraint has come to predominate as the Court has been faced with the fuzzy issue of de facto segregation and diffused responsibility in Northern school systems. No longer dealing with the clear cut legalized segregation in the South, the Court has become increasingly reluctant to fulfill its own charge to unify dual school systems unless it can clearly pin the blame on local officials. Thus, the emphasis has shifted from eradicating effect to proving cause.

This move from social activism to conservative restraint both parallels and is in part caused by a similar shift in the priorities of political leadership over the past fifteen years. With the mood of the country set by the growth of the Civil Rights movement and President Johnson's declaration of war on poverty in the early 60's, Congress passed the Civil Rights Act of 1964. Among other provisions, this Act shifted the responsibility of prosecuting segregated districts from the shoulders of private citizens to those of the Federal government.[41] Enabling HEW officials to cut off Federal funds from districts deemed segregated, the authors of the bill carefully defined desegregation to protect Northern interests. Students were to be assigned to schools on a color-blind (religion-blind, nationality-blind) basis, but not with the intent to overcome racial imbalance. In Busing: The Political and Judicial Process, Bolner writes:

> The bill's managers, Senator Hubert H. Humphrey in particular, argued that this definition would create a legal basis for cutting of federal funds to those southern schools that refused to desegregate, while barring the Office of Education from treating mere homogeneous concentrations as repugnant to law."[42]

HEW's fund-cutting authority became a political football in subsequent Congresses. Amendments to the Elementary and Secondary Education Acts of 1968 and 1969 explicitely forbade officials from using the power of the purse to force racial balance, as opposed to desegregation as defined in the '64 Act. As public scrutiny shifted to include Northern segregation, Senator Stennis pushed through an

amendment to the 1970 Labor/HEW appropriations bill to expand the catagory of schools reviewed by HEW to include all segregated systems regardless of cause. This move was intended to include Northern de facto segregated districts among those threatened by a loss of money, to increase resulting support for anti-busing legislation.[43]

In the meantime, school desegregation in the guise of busing to achieve racial balance was becoming a hot issue in the '68 presidential election. After Wallace's Southern Democrats, Richard Nixon adopted an anti-busing stance and advocated judicial restraint in court decisions on desegregation. Defeating Humphrey in a narrow victory, Nixon made good on his promises via conservative cabinet appointments and Supreme Court nominations. Initiating a policy of retrenchement, HEW Secretary Robert Finch authorized delays in previously established deadlines for schools to meet desegregation standards. In addition, Finch and Attorney General John Mitchell announced that the Justice Department would take up the standard for prosecuting segregated districts, and that the use of fund cut-offs would decrease. As a result, the number of Northern and Western cases reviewed by HEW has declined since 1968 to the point where the Department is being sued by civil rights lawyers for failure to carry out its responsibilities of ensuring school desegregation outside of the South.[44]

Nixon's anti-busing/desegregation strategy did not end with his cabinet officials, however. With his eye on the presidency in 1972, Nixon tried to push through legislation that would limit Federal intervention in de facto segregation systems and restress the value of neighborhood schools. Although the bill was killed in the Senate and Nixon's anti-busing stance nullified by the Swann decisions, the President remained undaunted. Bolner writes:

> Nixon, anxious to capture support of the growing anti-busing constituency from George Wallace, announced that he would file an ammendment to his emergency school assistance bill that would specifically prohibit the

> spending of any funds proposed in the bill for busing purposes. At the same time, he announced that he was instructing the Justice Department to disavow a desegregation plan submitted by his own subordinates in HEW--a plan that had provided for extensive busing in the Austin, Texas, school district...More importantly, Nixon stated that he would seek to blunt a remedy sanctioned by the Supreme Court to a minimum bare-bones compliance.[45]

Although the amendment failed to pass the Congress, Nixon succeeded in stiring up national controversy over busing and desegregation, playing up and preying on the views of those who would rather see desegregation become a dead issue.[46] From the social idealism of Federal activism in the early 60's, the mood of the country had shifted to valuing local control, feedom of family and individual choice, and resistance to Federal social engineering in lieu of the perceived failure of the War on Poverty.

This mood continued to prevail through the Ford administration, with President Ford's announced opposition to forced busing for achieving racial balance and proposed legislation that would have limited the use of busing as as legal remedy, as well as required the courts to limit the definition of illegal segregation. The President's views were amplified by Attorney General Edward Levi's indication that the Justice Department would press a test case on busing in the Supreme Court. Although the case was never chosen, the threat was great enough to raise questions about the necessity for busing plans in the works or in effect.[47]

Where the desegregation issue will go under the Carter administration is unclear, although the President's appointment of Griffen Bell as Attorney General indicates that restraint will continue to prevail. In a 1972 interview with the Associated Press, Bell announced that he favored a neighborhood school policy. These views were echoed in an interview in December, 1976, when the then Attorney General-designate indicated that he would favor busing only as "a last resort."[48] Whether Bell will actively thwart desegregation efforts, as Mitchell did and Levi threatened, is questionable--but it is probably safe to say that he will not use the power of the Justice Department to compell massive desegregation

of de facto segregated systems.

Although interesting from an historical and political standpoint, these events and decisions spell one major message for desegregation--delay. As the desegregation issue has developed and grown to include not just the South but the North and West as well, national political support for desegregation has dwindled as the accompanying problems have hit closer to more homes. Reflecting these shifts, government officials at the top of the bureaucracy have put the brakes on the past decade's impetus for civil rights. With local sentiments running high enough to encourage Congressmen to propose a constitutional amendment prohibiting busing, the Supreme Court's reluctance to hold local officals responsible for de facto segregation, and the efforts of recent presidents and their cabinet officers to slow down the prosecution of segregated districts, local Northern school authorities cannot help but wonder if they really need to dismantle any existing dual systems. In spite of the Court's mandate in Holmes that no further delays would be tolerated, these behaviors by the three Federal branches combine to raise expectations of reluctant school boards facing de facto charges that they need not incure the immediate costs of desegregating. Thus, the politically expedient solution has become one of tying up the case in court, rather than living up to the ideological charge of the Brown decision. Without some leadership from within the Federal bureaucracy to bring the desegregation issue to a head, such stalling tactics can be expected to continue.

B. The View From the Bottom--Case Study Findings About Local Politics

Despite the impact of Federal directives on the expectations of local school officials, constraints set by the highest level of government are obviously not the only factors affecting the decision to desegregate. Ideological commitment at the local level is a critical component as well as the political constraints created by the community involved. Numerous case studies have been done on different districts' desegregation efforts; the following discussion summarizes the findings of three studies with regards to those political factors which can make or break a desegregation effort. Again, the emphasis is on those elements that need to be accounted for in assessing the impact of desegregation, both at the causitive and at the effective levels.

Supporting and elaborating upon its 1967 findings,[49] the United States Commission on Civil Rights concluded in its 1976 study Fulfilling the Letter and Spirit of the Law[50], that the key factor to successful desegregation is supportive leadership by local officials. Conducting public hearings in Boston, Denver, Tampa, and Loisville; open meetings in Berkeley, Minneapolis, Stamford, and Corpus Cristi; interviews with educators, community leaders, parents, and students in 29 cities of varying size and ethnic makeup; and analyzing questionnaires sent to educators, officials, and community groups in 1300 districts across the nation, (including the 100 largest districts in the country), the USCCR drew the following conclusions on the nature of desegregation today:

1. Extent of Desegregation--Of those districts with more than 1500 students of which more than 5% are minorities, 54% took major strides towards desegregation between 1966 and 1975. Although (not suprisingly) most of this progress has been made in the South, desegregation is being carried out throughout the country. For 37% of the districts which had unified their systems, the courts were the most

important compelling force, particularly where segregation was initially extreme.

2. Disruption -- Contrary to popular belief, 82% of desegregating districts did so without "serious disruption." [51]

3. Community Response -- In regards to the issue of white flight, the Commissions concluded that, "While many school districts lost significant numbers of white students as shown by enrollment changes from 1968 to 1972, there are no significant differences between those districts that desegregate under pressure from the courts and HEW, and all districts in the country."[52] A greater loss of whites was noted when the minority school population grew to be more than 40% of the total. In general, however, white and non-white parents supported desegregation; and white parents' attitudes improved significantly once schools had been desegregated for a while.

Upon this national backdrop, the Commission extrapolated from its testimonies and data to identify the following elements as critical to successful desegregation:

1. Community and School Leadership, Both Ideological and Practical -- Officials need to insist on lawful behavior, as well as engage in planning and projects designed to prepare for and involve the community in desegregation efforts. Such activities include a review of the existing educational process to ensure a quality education for all children, plans for the technicalities of desegregation, (e.g., transportation), and arrangements to desegregate faculty and classrooms as well as buildings. (It is important to stress that such reviews of curriculum and resulting changes make evaluating the effects of desegregation per se difficult; however, such revisions may also be considered a positive by-product of the process, and thus a potential but not intrinsic outcome of desegregation.)

2. Parental Involvement -- As mentioned above, involvement of parents and other community members in any desegregation effort is essential. Parents need to feel that they are part of and responsible for the process, rather than helpless victims. (Again, it is significant to note that such increased parental involvement

in the schools is another potenial benefit--or cost, depending on one's orientation--of desegregation.)

3. Responsible Media Coverage -- Information about the desegregation process needs to be conveyed in an impartial manner. Inflammatory or biased reporting only serves to aggravate fear, hostility, and distrust. Dispassionate conveyance of facts and rumor control, in contrast, facilitate rational decision making.

Although the validity of these findings needs to be questioned in light of the poor response rate from community groups surveyed, biasing results towards school officials' impressions, as well as the self-selection problems encountered in an open meeting, the critical role of school and community leadership has also been identified by Robert Crain in his study of fifteen Northern and Southern cities, The Politics of School Desegregation.[53] Focusing on the interplay of the civic elite, the school board, and civil rights leaders, Crain concludes that board acquiescence to civil rights demands (assuming an adversary relationship) depends on the organization and makeup of that body, which is in turn dependent upon the social status of the community and process of board recruitment. Professional politicians elected to the board tend to be more conservative on race relations issues, whereas appointed board members tend to be more liberal (read, acquiescent). Furthermore, appointed boards tend to be part of political reform movements instigated by active, well-to-do civic elites. Thus, the more active and upper-class the community, the greater the likelihood of appointed school boards with liberal members. However, the resulting expected pro-civil rights attitude of the board may be thwarted to an extent by the countervailing impact of increased social activism and conflicting views of such communities.

In addition to liberalism, Crain identifies board cohesiveness as a factor which increases the propensity to acquiesce. However, in a later study, Political Strategies in Northern School Desegregation,[54] he and his co-researchers found greater movement towards instituting school desegregation within a divided board.

Whatever the case, however, (some of the discrepancy in results may be due to the fact that boards can be united in their opposition to desegregation, as well as in support of it), this second Crain study again stresses the important role that an active civic elite plays in unifying dual school systems. Civic and educational officials as well as leaders from outside the immediate area, such as state government officials, also have significant influence over the desegregation process. Finally, the authors stress the role that minority leaders play in desegregation efforts; as desegregating schools can undermine their efforts to build a community power base, minority leaders may benefit from fighting such plans. Thus, any attempts to successfully desegregate necessitate a working relationship between establishment and minority group leadership.

Taken together, these studies provide documentation for the Supreme Court's intuitions in the Brown decision--that local leadership is critical for desegregation to work. Not only do civic and educational officials set the pace of the process, but they are also in the position to foster constructive community involvement. The informal community leaders are important actors, as well, influencing the general political style of the community and acting as role models for their neighbors to follow. When these leaders abdicate their responsibilities during conflicts over desegregation or, as in Boston, aggravate rifts by actively opposing court orders to desegregate,[55] the result is chaos. On the other hand, when leaders take a no-nonsense attitude about the inevitability of desegregation, gain the support of key community members and officials (such as the chief of police), and engage in a comprehensive planning effort that involves both critics and proponents, (no easy task), the unification of the system can procede in an orderly and constructive manner.

Again, however, these studies raise the unanswered question: What do we mean by successful desegregation? Is it the peaceful co-mingling of the races,

with members of each group having equal access to the same education? -- to "quality education"? Is it the achievement of integration--going beyond mere interracial mixing to interracial bonding, the formation of friendships and growth of mutual respect across racial lines? As discussed in preceding sections of this paper, goals of desegregation need to be clearly defined, both for policy and evaluation purposes. In addition, by-products such as improved educational quality or increased parental involvement need to be recognized and accounted for. The upshot of all this is that, in addition to clarifying policy and program goals, evaluators need to focus on the actions and attitudes of educators, community leaders, and parents and how these change over time, to completely assess the impact of desegregation on a school system and community.

V. Summary-- Recommendations for Research

At the risk of overstating the obvious, it is apparent from the preceding pages that school desegregation is a complex process which affects a large number of people in a variety of ways. For numerous reasons, however, research efforts to evaluate the impacts of desegregation have suffered from either a failure to acknowledge these complexities or a failure to deal with them rigorously. Over-simplyfing the dynamics of education for ease of analysis, evaluators have not only misrepresented the essence of the process, but have also ignored some of its most critical outcomes--particularly, emotional and attitudinal development. In addition, little if any work has been done which ties the impact of desegregation on area residents and leaders together with the impact on school children. As stressed in the discussion of the socio-political environment, this type of social research must acknowledge the interrelationships of classroom, community, and country. Obviously, the scope of the evaluation must be narrowed to some extent--but environmental dynamics must at the least be recognized and if possible, scrutinized.

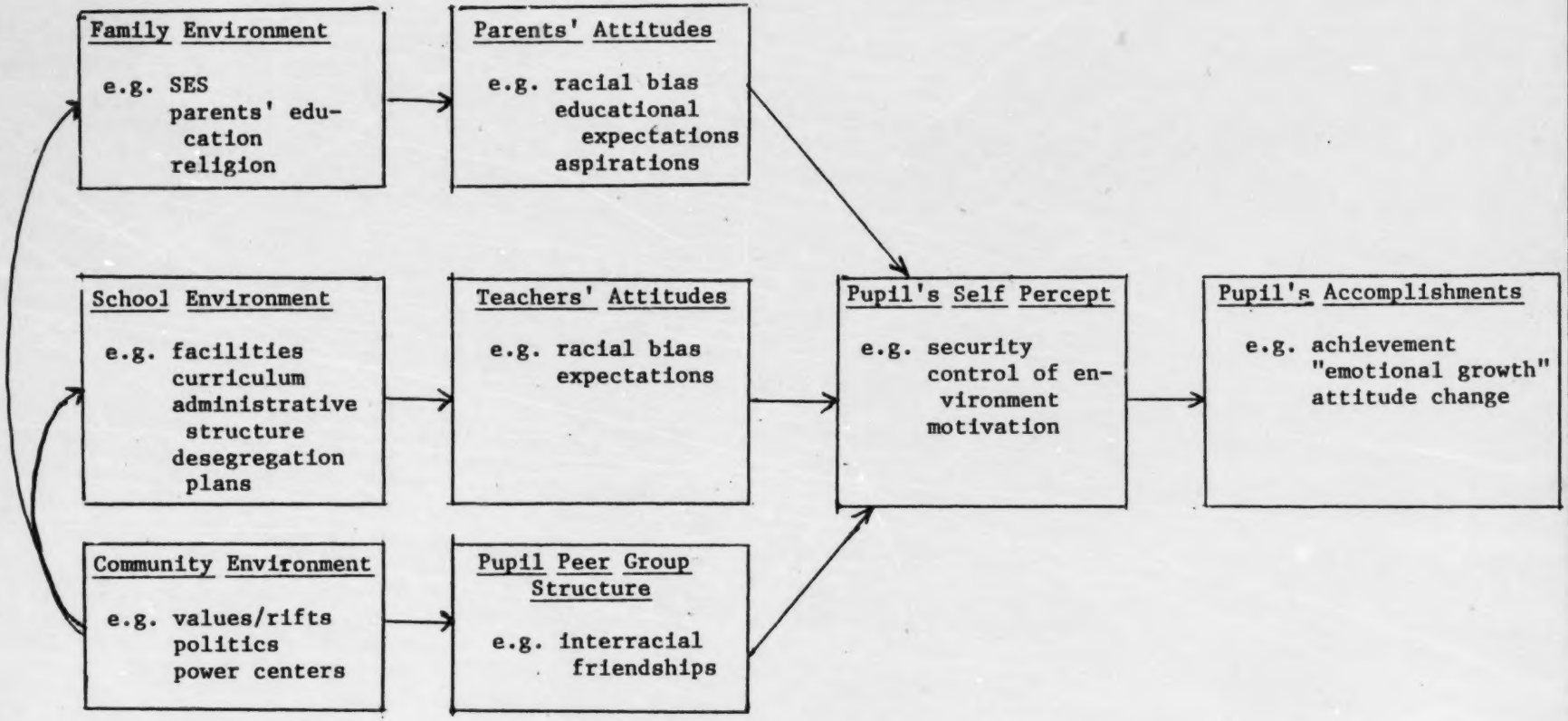
With these caveats in mind, we need to procede to the first step of the evaluation and define goals of desegregation within the dynamic process of education. Elaborating on a model presented by Dyer,[58] the diagram in Figure 1 summarizes the main elements and interrelationships discussed here. Arrows indicate the expected direction of causation, although a variety of two-way relationships could be imagined. If we define desegregation within this context as simply the mixing of the races within the classroom, the following questions (among others) would need to be addressed:

What is the proportion of black to white in each class?

What is the racial pattern of friendship formation within and across classes?

Is there any discernable pattern of tracking by racial characteristics, either within or among classes?

Figure 1


Family Environment
e.g. SES
parents' education
religion
Parents' Attitudes
e.g. racial bias
educational expectations
aspirations
School Environment
e.g. facilities
curriculum
administrative structure
desegregation plans
Teachers' Attitudes
e.g. racial bias
expectations
Pupil's Self Percept
e.g. security
control of environment
motivation
Pupil's Accomplishments
e.g. achievement
"emotional growth"
attitude change
Community Environment
e.g. values/rifts
politics
power centers
Pupil Peer Group Structure
e.g. interracial friendships
National Political Context

Are there any significant differences in achievement levels of blacks and whites in desegregated, as opposed to segregated classes and school settings? --in racial prejudices? --self-concepts? --levels of educational aspiration? Do changes in attitudes affect achievement levels?

How do these attitudes change over time among black and white children in the two types of settings?

What about attitudes of parents, teachers, administrators, and the community at large? How do racial attitudes change over time as desegregation becomes institutionalized? What effects do these changes (or lack of changes) have on children's behavior? --performance in school?

When goals of desegregation are clarified, an additional set of questions can be asked, concerning not just what the simple effects of racial mixing are, but also whether these are the desired effects, unanticipated positive outcomes, or unexpected detrimental outcomes. Particularly in the case of such activities as curriculum revision and increased parental involvement, evaluators need to be certain in their own minds whether such effects are to be considered events that necessitate experimental controls or, rather, additional impacts of desegregation to be considered.

Admittedly, this brief discussion has only touched the surface of the issues and problems to be addressed in an examination of desegregation. However, I have tried to highlight the key areas to be considered in future studies. Hopefully, this review of general background literature will help to direct those efforts.

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